



Order Filed on October 2, 2018
by Clerk U.S. Bankruptcy Court
District of New Jersey

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**IN THE BANKRUPTCY COURT FOR THE
DISTRICT OF NEW JERSEY (TRENTON)
HONORABLE CHRISTINE M. GRAVELLE**

In re: : Case No. 18-19249-JNP
:
CHRIS FILLIUS :
JOANNE C PEZZANO :
Debtors, :
: Chapter 13
:
: Hearing Date: August 7th, 2018
:
_____ :

**CONSENT ORDER MODIFYING MOTION FOR RELIEF FROM STAY AS TO A MOTOR
VEHICLE 2012 KIA FORTE 4D EX 2.0L I4 FILED ON JULY 11th, 2018**

The relief set forth on the following pages, number one (1) through four (6) is hereby
ORDERED.

DATED: October 2, 2018



Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Debtors: Chris Fillius and Joanne C Pezzano

Case No.: 18-19249-JNP

Caption of Order: Consent Order Modifying Stay as to Personal Property

1. The 11 U.S.C. §362(a) Stay as to Regional Acceptance Corporation, (“Movant”), with respect to the personal property of Debtors described as a 2012 Kia Forte Sedan 4D EX 2.0L I4 VIN# KNAFU4A23C5567586, in accordance with the agreement of the Debtors and Movant is hereby modified and shall remain in effect PROVIDED THAT Debtor comply with the following terms and conditions:

The arrears are \$2,531.00 as of the date of this Consent Order. Debtors shall cure the arrears and fees and costs by making the following payments on the following dates:

September 23, 2018 - \$896.83

October 23, 2018 - \$896.83

November 23, 2018 - \$896.83

December 23, 2018 - \$896.83

January 23, 2019 - \$896.83

February 23, 2019 - \$1896.83

Debtors shall then be responsible for timely making all future regular monthly payments to Movant starting with the payment of \$475.00 due on March 23, 2019. Failure to make future monthly payments shall also be cause for default under this Consent Order.

2. The term “payment” as set forth in Paragraph 1, *supra*, does not include a check that is returned due to insufficient funds, account closed or is otherwise not capable of negotiation for any other reason.

3. Debtors will be in default under the Consent Order in the event that Debtors fail to comply with the payment terms and conditions in Paragraph 1, *supra*. If Debtors fail to cure the default within ten (10) days from the date of default, Movant may file a Certification of

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Default on five (5) days' notice to Debtors, counsel for Debtors and the Chapter 13 Trustee for an Order lifting the automatic Stay imposed under 11 U.S.C. §362(a) and permitting Movant to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing sale of the motor vehicle without regard to any future conversion of this matter to a different form of bankruptcy.

4. The failure of Movant to file a notice of default will not be construed or act as a waiver of any of the rights of Movant under the Consent Order.

5. In the event Debtors convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtors shall pay all pre-petition arrears and post-petition arrears within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter.

6. Movant's fees and costs of \$631 are to be paid through the Chapter 13 Plan.

We hereby Consent to the form and entry of the foregoing Order.

Dated: September 24, 2018